

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re

Justin Weeks

Debtor(s)

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Robert Fiorito

Case: 13-74235-dte

**STANDING PRE-TRIAL
CONFERENCE ORDER AND
INSTRUCTIONS**

Plaintiff(s)

Justin Weeks

Adv. Proc. 13-8164-dte

Defendant(s)

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Counsel for all parties to adversary proceedings commenced on or after August 10, 1992, are hereby ORDERED to confer and then prepare, execute, and file with the Court no later than seven days before the first Pre-Trial Conference, a single document captioned PRELIMINARY PRE-CONFERENCE STATEMENT which sets forth the following information:

- 1. A concise statement of the nature of this action.**
- 2. A separate brief description of all legal arguments. Include citation to all statutes, Bankruptcy Code sections. Bankruptcy Rules and case law intended to be relied on by each party.**
- 3. A brief summary of relevant facts not in dispute.**

4. **Precise statement of facts in dispute (include jurisdiction, if applicable).**
5. **Identify and briefly describe all legal and factual issues to be decided by the Court.**
6. **Statement of anticipated discovery requirements.**
7. **A proposed discovery schedule and date of completion.**
8. **Estimate as to length of trial.**
9. **Preliminarily set forth the number of witnesses to be called by each party and list of exhibits to be introduced into evidence.**
10. **Identify each witness to be called and identify to which disputed issues of fact such witness' testimony will be directed.**
11. **Statement as to whether any attempts have been made at resolving any of the issues in dispute and any results of such attempts.**

Counsel for the Plaintiff is hereby directed to serve a copy of this Order upon all parties and counsel to the proceeding either with the summons and complaint or within ten (10) days thereafter and file proof of service together with the PRELIMINARY PRE-CONFERENCE STATEMENT.

It is expected that a single PRELIMINARY PRE-CONFERENCE STATEMENT will be filed in an adversary proceeding. However, if for any reason the parties cannot file a single PRELIMINARY PRE-CONFERENCE STATEMENT, separate PRELIMINARY PRE-CONFERENCE STATEMENTS may be filed with proof that each has been served upon all parties to the proceeding.

A copy of the PRELIMINARY PRE-CONFERENCE STATEMENT marked "filed" will be returned to you if a self-addressed stamped envelope is enclosed.

Failure to comply with this Order may result in sanctions including, but not limited to, the granting of relief by default, the striking of pleadings, or the preclusion of undisclosed documents or witnesses, together with costs.

Attendance of all counsel to the litigation is required at the PRE-TRIAL CONFERENCE.

Dated: Central Islip, New York

October 10, 2013

**s/ Dorothy Eisenberg
DOROTHY EISENBERG
United States Bankruptcy Judge**